

## REMARKS

Please cancel claims 1 and 5-9 without prejudice or disclaimer.

Entry of the present amendment, and reconsideration of the subject application in view of the present amendment is respectfully requested.

The amendment is necessary in view of the interpretation being applied to the Ballas patent.

Turning to the claims, now it can be appreciated that the interpretation of the Ballas patent cannot be applied. Specifically, claim 10 recites that the first and second axis are spaced away from the tool. Moreover, a lower part of the device is connected to the holder at one end portion to pivot with the handle about the second axis such that the handle is revolved about the second axis, and the lower part has a semicylindrical groove at the other end portion of accommodating the handle at the first axis. Further, the upper portion is located adjacent to the other end portion of the lower part and cooperates with the other end portion of the lower part to keep the handle in the groove of the lower part. Still further, a screw extends between the upper part and the lower part. The interpretation of the Ballas patent provided within the Office action cannot satisfy this collection of limitations. Accordingly, claim 10 is allowable.

The other claims provide additional limitations that are not present in the interpretation provided for the Ballas patent.

Accordingly, it is respectfully submitted that the presently pending claims are allowable, and allowance of the subject application is respectfully requested.

If there are any additional fees resulting from this communication, please

charge same to our Deposit Account No. 16-0820, our Order No. 34354.

Respectfully submitted,

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